



1711

Docket No. 2657

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kennedy et al.

Serial No.: 09/912,700

Examiner: S. Acquah

Filed: July 25, 2001

Art Unit: 1711

For: **High Consistency Absorbable Polymeric Resin**

CERTIFICATE OF MAILING

Date of Deposit: November 13, 2002

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Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

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RESPONSE

Sir:

In response to the Office Action mailed October 1, 2002 in the above referenced patent application, kindly consider the following remarks.

REMARKS

Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the rejection of claims 1-17 under 35 USC 103(a) as unpatentable over Wasserman '297 at least for the following reasons. Wasserman merely discloses copolymers of L(-) Lactide and Glycolide (see e.g. column 2 lines 49-50) initiated by stannous octoate (see e.g. col. 2, lines 33-46 and column 10, lines 33-39). However, nowhere does Wasserman '297 disclose or suggest a composition of matter including a batch of copolymer containing repeating units of glycolide and lactide wherein the standard deviation in inherent viscosity measurement from 10 or more random samples selected from with the batch is about 0.05 or less, as is presently claimed.